

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARILYN GAYE PIETY FOLEY,
Plaintiff,**

v.

**DREXEL UNIVERSITY, DAVID S.
BROWN, ROGER KURTZ, and JUHWON
LEE,
Defendants.**

CIVIL ACTION

NO. 25CV2103

O R D E R

AND NOW, this 13th day of August, 2025, upon consideration of Defendants' Motion to Dismiss for Failure to State a Claim and Motion to Strike (ECF Nos. 14, 17), as well as Plaintiffs' responses thereto (ECF Nos. 16, 20), it is **HEREBY ORDERED** as follows:

1. Defendants' Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART** as follows:

a. The Motion is **DENIED** with respect to Piety Foley's discrete retaliation claims involving the changes to her Spring 2025 course schedule. On that theory alone, Piety Foley may proceed with her claim under the Equal Pay Act against Defendants Drexel University, Roger Kurtz, and David S. Brown only, and under Title IX against Defendant Drexel University only.

b. In all other respects, Defendants' Motion to Dismiss is **GRANTED**.

2. Defendants' Motion to Strike is **DENIED AS MOOT**.

BY THE COURT:

S/ **WENDY BEETLESTONE**

WENDY BEETLESTONE, C.J.